REMARKS

Applicant appreciates the courtesy of Examiner Poltorak for conducting a telephone interview with Applicant's representative on February 22, 2007. During the telephone interview, Applicant's representative described the Applicant's claimed invention and proposed an amendment to the independent claims.

Claims 1-9, 11-14, and 16-24 are pending in the application. Claims 17-24 have been withdrawn from consideration as being directed to non-elected subject matter. Independent claims 1, 2, 11, and 16 have been amended to recite "the recording system is a rewritable recording system." The amendments are fully supported by the application as originally filed (see, e.g., specification at page 32, second paragraph and page 34, second paragraph).

Independent claims 1, 2, 11, and 16 each recite a recording medium including a data recording region and an encryption data recording region, in which information and encryption information are recorded, respectively, using an identical kind of recording system, where the recording system is a rewritable recording system (see specification at page 32, second paragraph and page 34, second paragraph).

As described in the specification, the recording system used to record the information and the encryption information is a rewritable recording system, for example, a magneto-optical recording system (see specification at page 32, second paragraph). Other types of rewritable recording systems include a phase change recording system and a magnetic recording system. Because a rewritable recording system is used, in the event disk identification information is recorded improperly, it is possible to re-record the disk identification information (i.e., the encryption information) (see specification at page 34, second paragraph).

Independent claims 1, 2, 11, and 16 also each recite that the encryption information recorded on each disk is different. The encryption information is "individual data given to each disk" (see specification at page 14, last full paragraph). As described in the specification, a disk

undergoes a coating process, after which disk identification information (i.e., encryption information) is recorded, where the disk identification information is different for different disks (see, e.g., specification at page 28, lines 7-12 and page 31, last paragraph to page 32, first paragraph).

Claims 1-9, 11-14, and 16 were rejected under 35 USC §103(a) as being unpatentable over PCT Publication WO 00/07182 to Tosaki et al. ("Tosaki") in view of U.S. Patent 6,587,948 to Inazawa et al. ("Inazawa"). This rejection is respectfully traversed.

Regarding the rejection of independent claims 1, 2, 11, and 16 over the proposed combination of Tosaki in view of Inazawa, the proposed combination does not teach or suggest at least a recording system for recording information in a data recording region and encryption information in an encryption data recording region, where the recording system is a rewritable recording system.

The Tosaki and Inazawa references, whether taken alone or in combination, do not teach or suggest a rewritable recording system for recording information and encryption information.

For example, in Tosaki, a prepit section (prepits 9) records key encryption information (see column 7, lines 23-28). However, there is no teaching or suggestion that the pattern of prepits in Tosaki is rewritable.

Similarly, in Inazawa, there is no teaching or suggestion that the key data recorded in the lead-in area of the optical disc is rewritable.

Further, on page 4, last paragraph of the Office Action of 12/21/2006, it was admitted that Tosaki "do not teach recording identification information for identifying each recording medium and that the encryption information is different for different disks, such that the encryption information recorded on each disk is different."

The Inazawa reference was cited allegedly to remedy the deficiencies of Tosaki. In particular, column 6, lines 8-10 of Inazawa was cited for allegedly teaching that "the encryption information recorded on each disk is different" (see Office Action at page 5, first paragraph).

In Inazawa, as described in column 5, line 64 to column 6, line 12, a copy preventing system includes a scrambler which encrypts data recorded in a program area of an optical disc 26 by using a disc key DK.

However, there is no teaching or suggestion in Inazawa that the encryption information is different for different disks. As described in Inazawa, a mother disc is made from a disc raw plate 42, a stamper is created from the mother disc, and the optical disc 26 is made by injection molding using the stamper (see column 7, lines 3-11 and column 11, lines 41-51). It is known to those of ordinary skill in the art that a large number of optical discs are manufactured by using the same stamper.

Therefore, since a large number of optical discs manufactured by using the same stamper would have the same encryption information, the Inazawa reference does not teach or suggest that the encryption information is different for different disks *as claimed*.

It is believed that the claims are in condition for immediate allowance, which action is earnestly solicited.

Respectfully submitted,

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By: _____
Steven M. Jensen
(Reg. No. 42,693)

Edwards Angell Palmer & Dodge
P.O. Box 55874
Boston, MA 02205

Phone: (617) 439-4444

Customer No. 21874